

Amendments to the Claims

This listing of claims replaces all prior versions, or listings of claims in this application.

1. (Currently Amended) A process ~~Process~~ for obtaining the obtainment of enantiomerically enriched 3-aminopentanenitrile or its salts from racemic 3-aminopentanenitrile comprising:

- 1) reacting racemic 3-aminopentanenitrile with an enantiomerically enriched organic acid with the formation of two diastereomeric salts of 3-aminopentanenitrile and the organic acid;
- 2) separating one diastereomeric salt from the reaction mixture; and
- 3) converting the separated diastereomeric salt into the enantiomerically enriched 3-aminopentanenitrile or its salts.

2. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that wherein~~ the enantiomerically enriched organic acid ~~employed is selected from~~ an enantiomerically enriched carboxylic acid, enantiomerically enriched sulphonic acid, ~~or~~ and an enantiomerically enriched phosphoric acid.

3. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that wherein~~ the enantiomerically enriched carboxylic acid ~~used is selected from~~ an enantiomerically enriched hydroxy-carboxylic acid or its derivatives, an enantiomerically enriched substituted propionic acid, an enantiomerically enriched N-protected amino acid ~~or~~ and enantiomerically enriched menthol derivative.

4. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that wherein~~ the enantiomerically enriched organic acid is selected from (L)-(+)-lactic acid, (L)-(-)-malic acid, (L)-(-)-tartaric acid or their derivatives, (S)-(-)-phenylcarbamoyllactic acid, (-)-O,O"-dibenzoyl-(L)-tartaric acid, (-)-di-O-p-toluy-(L)-

tartaric acid, (S)-(+)-6-methoxy-phenylacetic acid, gulonic acids, (S)-(+)-6-methoxy-methyl-2-naphthylacetic acid, (S)-(+)-2-(4-isobutylphenyl)-propionic acid, 2-(2-fluoro-4-biphenyl)-propionic acid, (L)-N-Boc-alanine, (L)-N-Boc-aspartic acid, (L)-N-Boc-histidine, (L)-N-Boc-isoleucine, (L)-N-Boc-Leucine, (L)-N-Boc-methionine, (L)-N-Boc-phenylalanine, (L)-N-Boc-proline, (L)-N-Boc-serine, (L)-N-Boc-serine, (L)-N-Boc-threonine, (L)-N-Boc-tyrosine, (L)-N-Boc-valine, (L)-N-acetyl-leucine, (-)-methoxyacetic acid, or (S)-(-)-2-pyrrolidinone-5-carboxylic acid or their respective enantiomers are employed.

5. (Currently Amended) The process ~~Process~~ according to Claim 4 2 for the obtainment of (S)-enantiomerically enriched 3-aminopentanenitrile or its salts, ~~characterized in that wherein~~ the enantiomerically enriched carboxylic acid employed is selected from (S)-methoxyphenyl-acetic acid, (-)-methoxyacetic acid ~~or~~ and (S)-(-)-2-pyrrolidinone-5-carboxylic acid.

6. (Currently Amended) The process ~~Process~~ according to Claim 4 2 for the obtainment of (R)-enantiomerically enriched 3-aminopentanenitrile or its salts, ~~characterized in that wherein~~ the enantiomerically enriched carboxylic acids employed ~~are~~ is selected from substituted propionic acids ~~or~~ and N-protected amino acids acids and their derivatives.

7. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that wherein~~ the reaction in step 1) is carried out at a temperature in a range from 0°C up to the decomposition temperature of the reactants.

8. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that wherein~~ the reaction in step 1) is carried out in the presence of polar or non-polar organic solvents.

9. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that~~ wherein the racemic 3-aminopentanenitrile is 0.1-1 equivalent of the enantiomerically enriched organic acid is employed.

10. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that~~ wherein the conversion of the diastereomeric salt into the enantiomerically enriched 3-aminopentanenitrile in Step 3) is carried out by the reaction of the diastereomeric salt with a base which is stronger than the amine function in 3-amino-pentanenitrile.

11. (Currently Amended) The process ~~Process~~ according to Claim 1 for the obtainment of a salt of the enantiomerically enriched 3-aminopentanenitrile, ~~characterized in that~~ wherein the obtainment of the salt of the enantiomerically enriched 3-aminopentanenitrile in step 3) is carried out by reaction of the diastereomeric salt with an acid which is stronger than the enantiomerically enriched organic acid employed in step 1), with the formation of the enantiomerically enriched 3-aminopentanenitrile salt of this acid.

12. (Currently Amended) The process ~~Process~~ according to Claim 11 for the obtainment of the chloride, bromide, sulphate, or methanesulphonate salt of the enantiomerically enriched 3-aminopentanenitrile ~~characterized in that~~ wherein in the acid of step 3) is selected from hydrochloric acid, hydrobromic acid, hydrofluoric acid, sulphuric acid, nitric acid, perchloric acid, phosphoric acid, ~~or~~ and methanesulphonic acid ~~is employed~~.

13. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that~~ wherein the separation of the diastereomeric salt from the reaction mixture in step 2) is carried out by filtering off.

14. (Currently Amended) The process ~~Process~~ according to Claim 13 ~~characterized in that~~ wherein the reaction mixture which remains after filtering the diastereomeric salt in step 2) is worked up for the purpose of ~~obtaining of the~~ obtaining a second diastereomeric salt.

15. (Currently Amended) The process ~~Process~~ according to Claim 1 ~~characterized in that~~ wherein the diastereomeric salt separated from the reaction mixture in step 2) is additionally subjected to one or more recrystallizations before carrying out step 3).